

THE AN GROUP

1250 Connecticut Avenue, NW Suite 700 Washington, DC 20036
Phone: 202-637-9040 Fax: 202-637-9178 www.angroup.org

June 12, 2002

Ms. Evangeline Tsibris Cummings
Environmental Protection Agency
Office of Environmental Information
Mail Code 2842T
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Re: Docket ID No. OEI-10014

Dear Ms. Cummings:

On behalf of The Acrylonitrile Group, Inc. (hereinafter "AN Group"), I am submitting the following comments on EPA's Draft Guidelines for Information Quality. The AN Group is a technically-oriented trade association, formed in 1981, representing US acrylonitrile manufacturers and users. The mission of the AN Group is to facilitate the protection of human health and the environment through all stages of the acrylonitrile product lifecycle. Our comments on the Information Quality Guidelines are focused on concerns regarding the guidelines' scope, emphasis and procedures; we address these generic issues with specific examples relevant to acrylonitrile.

First, we agree with EPA (Section 2.2) that information quality is integral to EPA's mission. We believe that information is both EPA's most important product and the most important raw material used for decisions. Because EPA's information and decisions have a great influence on virtually all segments of American society, these guidelines are of utmost importance and merit the attention of the Agency's highest officials. However, we have concluded that the current draft of the guidelines fails to address adequately the serious problems EPA confronts in the area of information quality.

In summary:

- 1) The draft guidelines implicitly assume that EPA's current procedures for information quality are sound and need only small adjustments to comply with the letter and spirit of the OMB guidelines. We believe that this opinion about EPA's current procedures and their implementation is not widely shared outside the Agency. Major improvements can and should be made in these current procedures and their implementation.
- 2) Prevention of information quality problems should be the principal theme of these guidelines rather than correcting specific problems once they occur. Great harm can

be done by the dissemination of information that is of poor quality, and it is often impossible to reverse the damage once the problem is discovered. Experience in the private sector has shown that no quality control program can succeed if it is only a log of complaints about specific problems and an attempt to fix those specific problems.

- 3) We recognize that the current procedures for information quality within EPA are designed to be preventative in nature. However, these procedures are, for the most part, closed to outside view or participation and have no apparent system of accountability. EPA should involve interested parties more in its information planning and also establish an informal process by which interested parties can ask for and receive a data quality determination under the guidelines from the Agency at any stage of information development (including mid-stream in the development of regulatory proposals). Such a process would greatly enhance the preventative nature of EPA's processes.
- 4) The draft guidelines should be clear that they apply not only to analysis and data inputs, but also to conclusions and summary material prepared by the Agency. Summary material, such as risk assessment characterizations, executive summaries, conclusions of reports, and tables, maps and graphs used to display analytical results are key aspects of the dissemination of any Agency information. In essence, the quality of EPA's information is only as strong as its weakest link.

We would like to illustrate these points with two examples pertaining to acrylonitrile.

Example 1: The Integrated Risk Information System (IRIS)

One of the most influential bodies of information that is disseminated by EPA is the IRIS database and its health values (RfDs, etc.) on approximately 500 chemicals. EPA has procedures for creating and updating files within the IRIS database that are intended to ensure information quality (*e.g.*, risk assessment guidelines, procedures of IRIS updates, peer review guidelines, etc.). However, the current implementation of the IRIS program presents serious information quality problems:

- The Agency's IRIS procedures were developed, for the most part, without input from interested parties outside the Agency. The risk assessment guidelines are a notable exception. The procedures by which chemicals are chosen for updating and how they are peer reviewed were all developed by the Agency without any significant input from the public.
- Interested parties have considerable expertise to contribute to the development of specific IRIS files, but generally, their involvement is limited to only two points in the process: the submission of studies at the beginning of the process

and participation as members of the public in any external peer review of the proposed document. Even these more open procedures are relatively new, and hence most of the chemical files in the IRIS database have not had the benefit of them. For example, until recently, the IRIS file conclusions (RfD's, etc.) were not even externally peer reviewed.

- Once an IRIS file is completed and placed on the Web, it is continually disseminated by EPA in response to any request from a visitor to the Web site. By placing these files on its Web site, EPA is, in effect, continually vouching for the quality of the information and its suitability for use by the public. However, as the Agency is well aware, approximately half of these IRIS files are more than 10 years old, and a recent study by the American Chemistry Council of a representative sample of the files found that for approximately 70% of the files there are five or more relevant scientific studies that have been conducted since the file was last updated. The acrylonitrile file is one such case in point. However, EPA continues to disseminate the old information with regard to these chemicals with no warning or qualification as to the quality of the information. EPA's Information Quality Guidelines need to recognize that information can deteriorate in quality over time and that EPA has an ongoing responsibility to ensure the current quality of data that it continues to disseminate.
- IRIS is a perfect example of the great harm that can be done by the dissemination of information that is of poor quality. The IRIS values are used directly for risk management purposes by a large number of decision makers. Prevention of potential harm should surely be a guiding principle for this key Agency information program, but it has not been in the past.
- EPA's choice of the key study(ies) and the calculation of health values (*e.g.*, the reference dose) are examples of how the Agency's conclusions can be as important in the dissemination of information as the underlying data and analysis. EPA's Information Quality Guidelines need to deal with all aspects of the information chain of decisions in order to be effective.

Example 2: The National Air Emissions Inventory (NEI) and the National Air Toxics Assessment (NATA):

The effort by the Air Office to develop a national air emissions inventory and then undertake a national air toxics assessment for the first time has been a formidable challenge, and no one should expect a perfect execution the first time. However, now that we have seen the first iteration, we believe there are some lessons that the Agency should learn for future endeavors such as these and the direction the Information Quality Guidelines should take.

- Our industry's review of both the 1996 NEI and the 1999 NEI for acrylonitrile, provided to EPA in letters and testimony before the Science Advisory Board revealed serious mistakes of double counting and omissions. Our review identified systemic problems in the compilation of the database that cannot be addressed by simply fixing individual errors.
- The 1996 NATA illustrates the importance of applying the Information Quality Guidelines to all components of an information package. Our examination of the acrylonitrile component of the 1996 NATA found that approximately 39% of the estimated emissions of acrylonitrile across the country are from municipal landfills. However, this estimate was calculated by taking an AP-42 emission factor developed from four measurements at facilities, which likely contained industrial waste, and then applying that emission factor to every municipal landfill in the country. Even if the AP-42 emission factor were arguably the best available data on acrylonitrile emissions from landfills, the use of that factor at every municipal landfill in the country is, in our view, an inappropriate use of the emission factor and would violate any reasonable data quality guideline. Therefore, EPA should not define too narrowly what information components disseminated by EPA are subject to these Information Quality Guidelines or limit the goal of transparency and reproducibility to only some of those components.
- The plans for how both the 1996 and 1999 NEI would be created were shared with the states, but not with other interested parties, especially industry, whose data would be collected. In our view, some of the problems that have been encountered could have been avoided if EPA had tapped the expertise and cooperation of those who are the subject of the inventory and who have considerable site-specific expertise.
- Prevention of these problems undermining the final information product should clearly be the goal, but the lack of consultation in the development of the procedures and the very complicated procedures for industry to seek correction of specific errors have discouraged the development of a quality database. For example, with few exceptions, all changes must be submitted through each of the respective states rather than through EPA.

* * * *

Ensuring the quality of information that EPA disseminates will require constant vigilance; there is no easy one-time solution. Hence these Information Quality Guidelines are immensely important, and we encourage the Agency to give them the highest priority and to update them frequently as more experience is gained.

Ms. Evangeline Tsibris Cummings

June 12, 2002

Page 5 of 5

In particular, we commend to the Agency's attention the thought that in the past the Agency has retained to itself almost all of the responsibility for the quality of its information and relied almost exclusively on its own expertise to identify and fix problems. The quality of EPA's information is too important to continue to treat as primarily an internal Agency matter. We believe there are relatively small changes to the Agency's procedures that could greatly enhance the quality of EPA's information. Two steps that we believe would be particularly beneficial are:

- opening up to outside review and participation early in the process the outputs of the data planning activities cited in the draft guidelines (*e.g.*, quality assurance project plans, portions of action blueprint documents, etc.); and,
- establishing an informal process by which interested parties can ask for and receive a data quality determination under the guidelines from the Agency at any stage of information development (including mid-stream in the development of regulatory proposals).

We hope you find these comments helpful as you develop the Agency's Information Quality Guidelines. We would be happy to discuss these comments with you further if you would find that useful.

Sincerely,

Robert J. Fensterheim
Executive Director